

**CALIFORNIA DEPARTMENT OF CORRECTIONS  
PAROLE AND COMMUNITY SERVICES DIVISION**

**LOCAL ASSISTANCE PROGRAM**



**Contract & Daily Jail Rate Reimbursements  
under Section 2910 or Section 4016.5  
of the Penal Code**

FY 2003/04

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## **LOCAL ASSISTANCE PROGRAM**

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## LOCAL ASSISTANCE PROGRAM OVERVIEW

When an individual is arrested by a local jurisdiction for a violation of law and identified as a California parolee, the California Department of Corrections (CDC) should be notified and given the opportunity to place a Penal Code (PC) Section 3056 hold. The hold establishes that the parolee shall remain under the legal custody of the CDC and subject at any time to return to State custody. Once the parolee is cleared of local charges and becomes eligible for release by the local jurisdiction, should the CDC elect to continue the hold, the parolee is retained as “our hold only” (OHO) and becomes the financial responsibility of the CDC.

The PC 4016.5 was enacted in July 1, 1975 to relieve cities and counties of the cost of detaining state parolees. PC 4016.5 requires that the CDC reimburse local jurisdictions for costs incurred as a result of state prisoner and parolee detention, and parole revocation proceedings, when the detention and/or proceedings relates to violations of conditions of parole and not new criminal charges.

The OHO reimbursement process is managed under the Local Assistance Program (LAP), which provides for the temporary detention of parole violators in city and county jail (hereinafter referred to as counties) while awaiting parole revocation proceedings. The CDC reimburses counties for costs incurred for detaining state parolees on behalf of the CDC or the Board of Prison Terms, and also for the use of local facilities and staff to conduct parole revocation proceedings. These costs are incorporated into a daily jail rate (DJR) that is unique to each location and based on the counties’ actual expenses from prior fiscal years, such as salaries and benefits, services and supplies, overhead and routine medical costs incurred while detaining parolees. Non-routine medical costs for specialized care require direct billing by the county and need to be removed from the DJR calculation. PC 4016.5 limits reimbursements to counties for costs incurred from detention to the same cost factors used by the CDC in determining the cost of prisoner care in state correctional facilities.

The Budget Act of 1993 established a maximum reimbursement amount for detaining an eligible inmate that can be paid by the state to \$59 per inmate per day, the maximum amount represented the average daily cost of housing a state inmate in a state correctional facility during that Fiscal Year.

The methodology used by counties to effect LAP reimbursements is outlined in the DJR Manual and subject to audit by the CDC Fiscal Business Management and Audit Unit (FBMAU). A draft audit report is issued by FBMAU to the county for review and comment, whereupon the county has 30 days to submit additional documentation and/or comment to support costs included in the DJR for the applicable period, as well as, for consideration by FBMAU in preparing the final audit report. Upon evaluation of additional information provided by the county, the FBMAU issues a final audit report that affords the county an additional 30 days for a formal appeal to the CDC Administrative Review Committee (ARC), consisting of the Chief Financial Officer of the Financial Management Office, the Deputy Director of the Facilities and Business Management Division, and the Deputy Director of Parole and Community Services Division (P&CSD). The ARC will make the final determinations on behalf of the CDC for any pending audit issues.

## INTRODUCTION

Per the State of California, Department of Corrections Operations Manual, Parole and Community Services Division:

### §81030.1 ARREST AND PAROLE HOLD POLICY

A parole hold shall be maintained only when it is determined that the parolee's release from custody will pose a security risk to the safety of other persons, the safety of the parolee, the security of property, or when it is likely the parolee will abscond.

The Penal Code Section (PC) 4016.5 was enacted in July 1, 1975 to relieve cities and counties of the cost of detaining state parolees. PC 4016.5 requires that the CDC reimburse local jurisdictions for costs incurred as a result of state prisoner's and parolee's detention, and parole revocation proceedings meeting any of the following conditions:

- A. *The detention and/or proceedings relate to violations of conditions of parole and not new criminal charges.*
- B. The detention is pursuant to (1) an order of the Board of Prison Terms under the authority granted by Section 3060 or (2) an order of the Governor under the authority granted by Section 3062 or (3) an exercise of state parole or correctional officer's peace officer powers as specified in Section 830.5...<sup>1</sup>

The Budget Act of 1993 established a maximum reimbursement amount for detaining an eligible inmate that can be paid by the State to \$59.00 per inmate per day, the maximum amount represented the average daily cost of housing a State inmate in a State correctional facility during that Fiscal Year.

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<sup>(1)</sup> §4016.5 CPC, West's California Codes, 2003 Desktop Edition (Appendix II)

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## CONTRACTS

I. **RECORD KEEPING PROCESS FOR RECONCILIATION AND APPROVAL OF JAIL DETENTION INVOICES (Peter Pitchess Detention Center [PPDC], Santa Rita Jail [SRJ] and Rio Cosumnes Correctional Center [RCCC])**

For billing purposes, all local detention agencies are required to use the California Department of Corrections (CDC) Form 2128, **Register of Participation** for tracking parolee detention and revocation proceedings.

Eligible reimbursements must conform to Penal Code (PC) Section 3056 "Our Hold Only" (OHO), designating that detention and/or revocation proceedings relate to violations of conditions of parole and not new criminal charges. The same data is required for both manual and electronically prepared invoices. A copy of the CDC Form 2128 is provided to participating jurisdictions as an addendum to each contract.

- A. Consistent with requirements of the CDC Operations Manual, a CDC Form 1676, **Revocation Tracking Form<sup>2</sup>** shall be prepared at any time a parolee is placed in a city or county jail for any reason, with the original and first copy forwarded to the Regional Hearing Coordinator (RHC).
  - 1. At the time of receipt, the RHC shall ensure that the CDC Form 1676 is complete or request deficient information.
  - 2. The RHC shall forward a copy of the CDC Form 1676 to the Jail Liaison Coordinator (JLC) at the assigned Parole Regional Office/jail facility.
- B. At any time a resident of a re-entry facility is placed in a local jail facility, a CDC Form 115, **Rules Violation Report**, shall be completed with copies forwarded to the Regional Re-entry Coordinator.
  - 1. The Re-entry Records Specialist shall forward a copy of any CDC Form 115 to the JLC when recording the placement of a resident of a re-entry facility into a local jail facility.

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<sup>(2)</sup>"Charge Sheet/Revocation Tracking/Scheduling Request" form as required by Section 81040.12.1, VIOLATION REPORT PROCEDURES, and §84010.5, AREAS OF REVOCATION RESPONSIBILITY, of the Department of Corrections Operations Manual.

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- C. The JLC shall initiate, in the regional accounting information system computer, a Local Assistance detention record for each jailed parolee/inmate.
  - 1. The detention record shall be kept by month and detention agency and shall include, but not be limited to, name and CDC number of parolee/inmate, booking date, number and charges, and all billable changes<sup>3</sup> in status of pending charges, including dates, OHO status initiated and dropped, detention status at end of month (e.g. remains in custody [RIC]), name and location of detention facility (i.e., main jail, branch facility, hospital jail ward, etc.) and court status.
- D. The JLC shall monitor the case of each parolee/inmate in local detention and prepare a Jail Status Update (JSU) report for each change in billable status.
- E. The JLC shall ensure completeness of the information on the JSU and consistency with the established detention record to date and make corrections as necessary.
  - 1. The JLC shall update the billable data record on current detention for the subject parolee.

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<sup>(3)</sup>A billable change in status is any change in the basis for detention, detention facility or any other change in circumstances that will be reflected in total Local Assistance charges billed to the CDC.

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**II. INVOICE APPROVAL**

Costs associated with detaining state parolees are incorporated into a “per diem rate” that is unique to each contract and based on the jurisdictions’ actual expenses from prior fiscal years, such as salaries and benefits, services and supplies, overhead, revocation hearings, security and all medical costs (including non-routine) incurred while detaining parolees. PC 2910 limits payments to counties for costs incurred from detention to the average costs of keeping an inmate in a comparable facility by the department, as determined by the director<sup>4</sup>.

- A. Contract jail billing invoices shall be prepared monthly by the responsible contracted agency.
1. All charges for the same month must be billed on a single invoice. (A monthly invoice may not include charges for detention for the preceding month even if the detention was continuous to the current month.)
  2. The contracted agency shall submit the jail billing invoices on required forms or, if computer produced, in the required format, including the name, title, address, and phone number of the person preparing the invoice.
  3. Claims for reimbursements shall be filed by local jurisdictions within six months of the end of the month in which the costs are incurred.<sup>5</sup>
  4. The contracted agency shall send all invoices and other detention charges in triplicate directly to the appropriate P&CSD Regional Headquarters Office.
    - a. All jail billing invoices received at the P&CSD Regional Headquarters Office shall be opened at time of receipt, envelope attached, date stamped and initialed, by the assigned JLC.
- B. The P&CSD shall process all jail billing invoices within 30 days of receipt.
1. Within 15 working days:
    - a. The JLC shall review 100 percent of invoices for compliance with relevant laws, policies and completeness of information and number of copies submitted and forward as appropriate.

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<sup>(4)</sup> §2910 CPC, West's California Codes, 2003 Desktop Edition (Appendix I)

<sup>(5)</sup> Budget Act of 2002. Amended invoices for retroactive rate adjustments to original claims are exempt from this six months’ limitation when resulting from annual Daily Jail Rate proposals submitted within prescribed deadlines. (Appendix III)

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- 1) The JLC shall return to the submitting agency any invoice not complying with policy for required format or information within 5 working days of review; the JLC shall maintain a log of all returns.
    - 2) The JLC shall sufficiently detail noted deficiencies on all invoices returned to the submitting agency.
  - b. The JLC shall review 100 percent of invoices for reconciliation to internal detention records.
    - 1) The JLC shall request clarification or assistance from the RHC when unable to reconcile invoices with internal computer data records.
    - 2) The JLC shall recommend approval of the invoice if internal records support the billing agency's invoice.
  - c. The JLC may disallow charges on the invoices if not supported by departmental records; the JLC shall maintain a log of all disallowances.
    - 1) The JLC may request additional clarifying information from the submitting agency when unable to resolve invoice deficiencies.
    - 2) The JLC may informally discuss the disallowances with the submitting agency.
    - 3) The JLC shall formally notify the submitting agency of any final action to disallow charges and advise on any rights of appeal.
  - d. The JLC shall forward two copies of approved invoices to the Regional Hearing Coordinator/Parole Agent III (PA III) of the assigned Revocation Unit with recommendation for approval and signature on action taken.
2. The PA III shall sign, date and return the signed copies to the JLC within 10 working days.
3. The JLC shall forward within 5 working days the approved invoice, in duplicate, to the CDC – Headquarters Accounting Services Section (HASS), with copies attached of any correspondence sent to the submitting agency regarding the invoice. One copy shall be retained for the regional records.

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- C. HASS shall review the invoice and any attached correspondence for compliance with all statutory and departmental requirements for reimbursements.
1. HASS shall verify that documentation of the charges is complete; the charges are based upon approved DJR's; and the calculations are accurate.
  2. HASS shall request to the JLC submitting the invoice any clarification on the invoice.
    - a. The JLC shall take whatever action is indicated to comply with the request of HASS.
  3. HASS shall deduct from the gross amount of any invoice "...all charges against the county authorized by law for services rendered by the Department..."<sup>6</sup> for the jurisdiction.
  4. "The Department shall withhold all or part of the net reimbursement to a county whose jail facility or facilities do not conform to minimum jail standards for local detention facilities as authorized by Section 6030 only if the county is failing to make a reasonable effort to correct differences with consideration given to the resources available for those purposes..."<sup>7</sup>
  5. "...The net reimbursement shall be calculated and paid monthly by the department..."<sup>8</sup>
  6. HASS shall forward within 30 working days of receipt by HASS approved invoices to the Office of the State Controller for issuance of check.
  7. HASS shall maintain a monthly record of all Local Assistance expenditures by contract (i.e. PPDC, SRJ, RCCC) and type of service paid for.

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<sup>(6)</sup> §4016.5 CPC, West's California Codes, 2003 Desktop Edition (Appendix II).

<sup>(7)</sup> Ibid.

<sup>(8)</sup> Ibid.

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**DAILY JAIL RATES (DJR)**

**RECORDKEEPING PROCESS FOR RECONCILIATION AND APPROVAL OF  
JAIL DETENTION INVOICES**

For billing purposes, all local detention agencies are required to use the California Department of Corrections (CDC), Form 2128, **Register of Participation** for tracking parolee detention and revocation proceedings.

Eligible reimbursements must conform to Penal Code (PC) Section 3056 "Our Hold Only" (OHO), designating that detention and/or revocation proceedings relate to violations of conditions of parole and not new criminal charges. The same data is required for both manual and electronically prepared invoices. A copy of the CDC Form 2128 is included in the Daily Jail Rate (DJR) Manual distributed to participating jurisdictions annually by the CDC FBMAU.

- A. Consistent with requirements of the CDC Operations Manual, a CDC Form 1676, **Revocation Tracking Form**<sup>9</sup> shall be prepared at any time a parolee is placed in a city or county jail for any reason, with the original and first copy forwarded to the Regional Hearing Coordinator (RHC).
  - 1. At the time of receipt, the RHC shall insure that the CDC Form 1676 is complete or request deficient information.
  - 2. The RHC shall forward a copy of the RTF to the Jail Liaison Coordinator (JLC) at the assigned Parole Regional Office.
- B. At any time a resident of a re-entry facility is placed in a local jail facility, a CDC Form 115, **Rules Violation Report**, shall be completed with copies forwarded to the Regional Re-entry Coordinator.
  - 1. The Re-entry Records Specialist shall forward a copy of any CDC Form 115 to the JLC when recording the placement of a resident of a re-entry facility into a local jail facility.

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<sup>(9)</sup>"Charge Sheet/Revocation Tracking/Scheduling Request" form as required by Section 81040.12.1, VIOLATION REPORT PROCEDURES, and §84010.5, AREAS OF REVOCATION RESPONSIBILITY, of the Department of Corrections Operations Manual.

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- C. The JLC shall initiate, in the regional accounting information system computer, a Local Assistance detention record for each jailed parolee/inmate.
  - 1. The detention record shall be kept by month and detention agency and shall include, but not be limited to, name and CDC number of parolee/inmate, booking date, number and charges, and all billable changes<sup>10</sup> in status of pending charges, including dates, OHO status initiated and dropped, detention status at end of month (e.g. remains in custody [RIC]), name and location of detention facility (i.e., main jail, branch facility, hospital jail ward, etc.) and court status.
- D. The JLC shall monitor the case of each parolee/inmate in local detention and prepare a Jail Status Update (JSU) report for each change in billable status.
- E. The JLC shall ensure completeness of the information on the JSU and consistency with the established detention record to date and make corrections as necessary.
  - 1. The JLC shall update the billable data record on current detention for the subject parolee.

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<sup>(10)</sup>A billable change in status is any change in the basis for detention, detention facility or any other change in circumstances that will be reflected in total Local Assistance charges billed to the CDC.

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**DAILY JAIL RATE INVOICE APPROVAL**

Costs associated with detaining state parolees are incorporated into a Daily Jail Rate (DJR) that is unique to each location and based on the jurisdictions' actual expenses from prior fiscal years, such as salaries and benefits, services and supplies, overhead and routine medical costs incurred while detaining parolees. Non-routine medical costs for specialized care require direct billing by the county and should not be included in the DJR calculation. PC 4016.5 limits reimbursements to counties for costs incurred from detention to the same cost factors used by the CDC in determining the cost of prisoner care in state correctional facilities.

The Budget Act of 1993 established a maximum reimbursement amount for detaining an eligible inmate that can be paid by the State to \$59.00 per inmate per day, the maximum amount represented the average daily cost of housing a state inmate in a state correctional facility during that fiscal year.

- A. Jail billing invoices shall be prepared monthly by the responsible agency at the local level (i.e. county fiscal office, Sheriffs' office, etc.).
1. All charges for the same month must be billed on a single invoice. (A monthly invoice may not include charges for detention for the preceding month even if the detention was continuous to the current month.)
  2. The local agency shall submit jail billing invoices on required forms or, if computer produced, in the required format, including the name, title, address and phone number of the person preparing the invoice (refer to the current DJR Manual for required forms and blank documents).
  3. Claims for reimbursements shall be filed by local jurisdictions within six months of the end of the month in which the costs are incurred.<sup>11</sup>
  4. The local agency shall send **all** invoices and other detention charges **in triplicate** directly to the appropriate P&CSD Regional Headquarters Office.
    - a. All jail billing invoices received at the P&CSD Regional Headquarters Office shall be opened at time of receipt, envelope attached, date stamped and initialed, by the assigned JLC.

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<sup>(11)</sup> Budget Act of 2002. Amended invoices for retroactive rate adjustments to original claims are exempt from this six months' limitation when resulting from annual Daily Jail Rate proposals submitted within prescribed deadlines. (Appendix III)

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B. The P&CSD shall process all jail billing invoices within 30 days of receipt.

1. Within 15 working days:

- a. The JLC shall review 100 percent of invoices for compliance with relevant laws, policies and completeness of information and number of copies submitted and forward as appropriate.
  - 1) The JLC shall return to the submitting agency any invoice not complying with policy for required format or information within 5 working days of review; the JLC shall maintain a log of all returns.
  - 2) The JLC shall detail noted deficiencies on all invoices returned to the submitting agency.
- b. The JLC shall review 100 percent of invoices for reconciliation to internal detention records.
  - 1) The JLC shall request clarification or assistance from the RHC when unable to reconcile invoices with internal computer data records.
  - 2) The JLC shall recommend approval of the invoice if internal records support the billing agency's invoice.
- c. The JLC may disallow charges on the invoices if not supported by departmental records; the JLC shall maintain a log of all disallowances.
  - 1) The JLC may request additional clarifying information from the submitting agency when unable to resolve invoice deficiencies.
  - 2) The JLC may informally discuss the disallowances with the submitting agency.
  - 3) The JLC shall formally notify the submitting agency of any final action to disallow charges and advise on any rights of appeal.
- d. The JLC shall forward two copies of approved invoices to the Regional Hearing Coordinator/Parole Agent III (PA III) of the assigned Revocation Unit with recommendation for approval and signature on action taken.

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2. The PA III shall sign, date and return the signed copies to the JLC within 10 working days.
  3. The JLC shall forward within 5 working days the approved invoice, in duplicate, to the CDC – Headquarters Accounting Services Section (HASS), with copies attached of any correspondence sent to the submitting agency regarding the invoice. One copy shall be retained for the regional records.
- C. HASS shall review the invoice and any attached correspondence for compliance with all statutory and departmental requirements for reimbursements.
1. HASS shall verify that documentation of the charges is complete; the charges are based upon approved DJR's; and the calculations are accurate.
  2. HASS shall request to the JLC submitting the invoice any clarification on the invoice.
    - a. The JLC shall take whatever action is indicated to comply with the request of HASS.
  3. HASS shall deduct from the gross amount "...all charges against the county authorized by law for services rendered by the Department..."<sup>12</sup> for the jurisdiction.
  4. HASS "...shall withhold all or part of the net reimbursement to a county whose jail facility or facilities do not conform to minimum jail standards for local detention facilities as authorized by Section 6030...is failing to make a reasonable effort to correct differences with consideration given to the resources available for those purposes..."<sup>13</sup>
  5. "...The net reimbursement shall be calculated monthly by the Department..."<sup>14</sup>
  6. HASS shall forward within 30 working days of receipt by HASS approved invoices to the Office of the State Controller for issuance of check.

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(12) §4016.5 CPC, West's California Codes, 2003 Desktop Edition.

(13) Ibid.

(14) Ibid.

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7. HASS shall maintain a monthly record of all Local Assistance expenditures by detention agency (i.e. county or city) and type of service paid for.

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**REVOCATION HEARING INVOICES**

- A. Revocation hearing invoices for "...security services and facilities provided for hearings which are conducted by the Board of Prison Terms to revoke parole..."<sup>15</sup> shall be prepared in the required format by the responsible agency at the local level (i.e. county fiscal office, Sheriffs' office, etc.)
1. Revocation hearing invoices shall include charges for a single month.
  2. The local agency shall submit revocation hearing invoices on required forms, or if computer produced, in the required format, including the name, title, address and phone number of the person preparing the invoice (refer to the current DJR Manual for required forms and blank documents).
  3. The local agency must submit claims for revocation hearing services within six months after the end of the month in which the costs were incurred.<sup>16</sup>
  4. The local agency shall send **all** revocation hearing invoices **in triplicate** directly to the appropriate P&CSD Regional Headquarters Office.
    - a. All revocation hearing invoices received at the P&CSD Regional Headquarters Office shall be opened at time of receipt, envelope attached, date stamped and initialed, by the assigned JLC.
- B. The P&CSD shall process all revocation hearing billings within 30 days of receipt.
1. Within 15 working days:
    - a. The JLC shall review 100 percent of invoices for compliance with relevant laws, policies and completeness of information and number of copies submitted and forward as appropriate.
      - 1) The JLC shall return to the submitting agency any invoice not complying with policy for required format or information within 5 working days of review; the JLC shall maintain a log of all returns.

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<sup>(15)</sup> §4016.5 CPC, West's California Codes, 2003 Desktop Edition.

<sup>(16)</sup> Budget Act of 2002. Amended invoices for retroactive rate adjustments to original claims are exempt from this six months' limitation when resulting from annual Daily Jail Rate proposals submitted within prescribed deadlines. (Appendix III)

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- 2) The JLC shall detail noted deficiencies on all invoices returned to the submitting agency.
- b. The JLC shall review 100 percent of invoices for reconciliation to internal detention records.
  - 1) The JLC shall request clarification or assistance from the RHC when unable to reconcile invoices with internal computer data records.
  - 2) The JLC shall recommend approval of the invoice if internal records support the billing agency's invoice.
- c. The JLC may disallow charges on the invoices if not supported by departmental records; the JLC shall maintain a log of all disallowances.
  - 1) The JLC may request additional clarifying information from the submitting agency when unable to resolve invoice deficiencies.
  - 2) The JLC may informally discuss the disallowances with the submitting agency.
  - 3) The JLC shall formally notify the submitting agency of any final action to disallow charges and advise on any rights of appeal.
2. The JLC shall forward two copies of approved invoices to the Regional Hearing Coordinator/Parole Agent III (PA III) of the assigned Revocation Unit with recommendation for approval and signature on action taken.
3. The PA III shall sign, date and return the signed copies to the JLC within 10 working days.
4. The JLC shall forward within 5 working days the approved invoice, in duplicate, to the CDC – Headquarters Accounting Services Section (HASS), with copies attached of any correspondence sent to the submitting agency regarding the invoice. One copy shall be retained for the regional records.

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- C. HASS shall review the invoice and any attached correspondence for compliance with all statutory and departmental requirements for reimbursements.
1. HASS shall verify that documentation of the charges is complete; the charges are based upon approved revocation hearing rates; and the calculations are accurate.
  2. HASS shall request to the JLC submitting the invoice any clarification on the invoice.
    - a. The JLC shall take whatever action is indicated to comply with the request of HASS.
  3. HASS shall deduct from the gross amount of any invoice "...all charges against the county authorized by law for services rendered by the department..."<sup>17</sup>
  4. HASS "...shall withhold all or part of the net reimbursement to a county whose jail facility or facilities do not conform to minimum jail standards for local detention facilities as authorized by Section 6030 only if the county is failing to make a reasonable effort to correct differences with consideration given to the resources available for those purposes..."<sup>18</sup>
  5. "...The net reimbursement shall be calculated and paid monthly by the department..."<sup>19</sup>
  6. HASS shall forward within 30 working days of receipt by HASS approved invoices to the Office of the State Controller for issuance of checks.
  7. HASS shall maintain a monthly record of all Local Assistance expenditures by detention agency (i.e., county or city) and type of service paid for.

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<sup>(17)</sup> §4016.5 CPC, West's California Codes, 2003 Desktop Edition.

<sup>(18)</sup> Ibid.

<sup>(19)</sup> Ibid.

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**MISCELLANEOUS AND NON-ROUTINE MEDICAL/DENTAL EXPENSES**

“Non-routine medical expenses” refers to medical services provided to an individual for a specific condition or specialized care, such as those that typically requires a specialized physician (i.e., dermatology, psychiatry, cardiology, endocrinology, neurology, oncology, etc.). Non-routine medical expenses, as well as applicable overhead costs, are unallowable as a direct cost in the DJR calculation and must be billed by the city or county directly to HASS, via the appropriate P&CSD Regional Headquarters Office.

Documentation and/or detail supporting non-routine medical expenses must clearly identify the specific nature and level of medical services, appropriateness and related expense for medical services provided parolees.

If a state parolee in the custody of the city or county requires non-routine medical care after being received, the city or county must provide verbal notification to the Unit Supervisor of the respective parole unit within 24 hours. Additionally, within three consecutive days of an emergency non-routine medical need, the city or county must provide written notice to the state for a determination whether to release the state’s parole hold or remove said inmate from the care of the city or county. Notification shall be directed in writing to the appropriate Unit Supervisor. The Unit Supervisor will immediately forward such notice, including the specific nature and level of medical services required, to the respective District Administrator. The District Administrator shall forward pertinent details to the P&CSD Headquarters Health Care Coordinator for evaluation and disposition. The District Administrator will communicate the final determination to the Unit Supervisor, who will be responsible for authorizing treatment and continuing a parole hold or removing the effected parolee from the city or county jail, as appropriate. Non-routine medical needs of a non-emergency nature require written pre-authorization from the P&CSD and shall be processed in a manner similar to that of an emergency medical need.

- A. Invoices which bill the CDC for any miscellaneous costs incurred on behalf of a parolee/inmate during authorized detention which are not covered by the Daily Jail Rate shall be prepared monthly by the responsible agency at the local level (i.e., county fiscal office, Sheriffs’ office, etc.).
  - 1. Invoices shall bill for miscellaneous charges for a single month.
  - 2. The local agency shall include the name, title, address and phone number of the primary contact for each invoice on all miscellaneous and non-routine medical/dental invoices (refer to the current DJR Manual for required forms and blank documents).

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- a. All medical/dental services billed must be accompanied by documentation identifying the specific nature and level of medical services provided, including appropriateness and associated expense.
  - b. Emergency medical treatments must be supported by a statement from a licensed medical or dental professional describing the nature of the emergency, reasons for emergency services and itemized listing with cost for each service.
  - c. A copy of any pre-authorization for non-emergency medical services must be attached to the invoice.
  - d. Copies of any invoices received by the detaining agency from any outside vendor/service provider detailing the services provided must be attached to the invoice.
3. The local agency must submit the invoices with the required attachments to the CDC within six months of the end of the month in which the costs are incurred.
4. The local agency shall send **all** invoices, with attachments, **in triplicate** directly to the appropriate P&CSD Regional Headquarters Office.
  - a. All invoices received at the P&CSD Regional Headquarters Office shall be opened at time of receipt, envelope attached, date stamped and initialed, by the assigned JLC.
- B. The P&CSD shall process all miscellaneous and non-routine medical/dental invoices within 30 days of receipt.
  1. Within 15 working days:
    - a. The JLC shall review 100 percent of invoices for compliance with relevant laws, policies and completeness of information and number of copies submitted and forward as appropriate.
      - 1) The JLC shall return to the submitting agency any invoice not complying with policy for required format or information within 5 working days of review; the JLC shall maintain a log of all returns.
      - 2) The JLC shall sufficiently detail noted deficiencies on all invoices returned to the submitting agency.

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2. The JLC shall reconcile the charges on the invoice with their records on the time, date and any pre-authorization for the services provided.
  3. All invoices listing charges for medical, dental, optometry or other medical/dental related services shall be reviewed by the CDC for a determination of the need, appropriateness and cost of services provided.
- C. The JLC may recommend disallowance of charges appearing on the invoice not supported by their records.
1. The JLC may request additional clarifying information from the submitting agency when unable to resolve invoice deficiencies.
    - a. The JLC may informally discuss the disallowances with the submitting agency.
    - b. The JLC may disallow charges on the invoices if not supported by departmental records; the JLC shall maintain a log of all disallowances.
  2. The JLC shall forward two copies of the invoice to the Regional Hearing Coordinator/Parole Agent III (PA III) of the assigned Revocation Unit with recommendations for approval and signature on actions taken.
  3. The PA III shall review the charges and accompanying documentation.
    - a. Charges for services provided of a non-emergency nature, which are inconsistent with departmental policies or without the Unit Supervisor pre-authorization, shall be disallowed.
  4. The PA III shall render with documentation the payment of the invoice within 10 days.
  5. The PA III shall sign, date and return the signed copies to the JLC.
  6. The JLC shall formally notify the submitting agency of any final action to disallow charges and advise on any rights of appeal; the JLC shall maintain a log of all disallowances.

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7. The JLC shall forward within 5 working days of receipt the approved invoice, in duplicate, to HASS, CDC Headquarters, with copies attached of any correspondence sent to the submitting agency regarding the invoice. One copy shall be retained for regional records.
- D. HASS shall review the invoice and any attached correspondence for compliance with all statutory and department requirements for reimbursements.
1. HASS shall verify that the charges are properly documented, based upon policies approved by the CDC and the calculations are accurate.
  2. HASS shall request any clarification on the invoice to the JLC submitting the invoice.
    - a. The JLC shall take whatever action is indicated to comply with the request of HASS.
  3. HASS shall forward within 30 working days of receipt by HASS approved invoices to the Office of the State Controller for issuance of check.
  4. HASS shall maintain a monthly record of all expenditures by detention agency (i.e., county).

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**APPENDIX I**

**Penal Code Section 2910  
California Department of Corrections**

- (a) The Director of Corrections may enter into an agreement with a city, county, or city and county, to permit transfer of prisoners in the custody of the Department of Corrections to a jail or other adult correctional facility of the city, county, or city and county, if the sheriff or corresponding official having jurisdiction over the facility has consented thereto.
- (b) When an agreement entered into pursuant to subdivision (a) is in effect with respect to a particular local facility, the Director of Corrections may transfer prisoners whose terms of imprisonment have been fixed and parole violators to the facility.
- (c) Prisoners so transferred to a local facility may, with approval of the Director of Corrections, participate in programs of the facility, including work furlough rehabilitation programs.
- (d) Prisoners transferred to such facilities are subject to the rules and regulations of the facility in which they are confined, but remain under the legal custody of the Department of Corrections and shall be subject at any time, pursuant to the rules and regulations of the Director of Corrections, to be detained in the county jail upon the exercise of a state parole or correctional officer's peace officer powers as specified in Section 830.5, with the consent of the sheriff or corresponding official having jurisdiction over the facility.
- (e) The Director of Corrections, to the extent possible, shall select city, county, or city and county facilities in areas where medical, food, and other support services are available from nearby existing prison facilities.
- (f) The Director of Corrections, with the approval of the Department of General Services, may enter into an agreement to lease state property for a period not in excess of 20 years to be used as the site for a facility operated by a city, county, or city and county authorized by this section.
- (g) No agreement may be entered into under this section unless the cost per inmate in the facility is no greater than the average costs of keeping an inmate in a comparable facility of the department, as determined by the director.

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**APPENDIX II**

**Penal Code Section 4016.5**  
**California Department of Corrections**  
*(Amended pursuant to AB 1655)*

“Reimbursement of counties; parolee and prisoner detention; parole revocation proceedings; conditions; determination and use of reimbursement

A city or county shall be reimbursed by the Department of Corrections for costs incurred resulting from the detention of a state prisoner, a person sentenced or referred to the state prison, or a parolee and from parole revocation proceedings when the detention meets any of the following conditions:

- (h) The detention relates to a violation of the conditions of parole or the rules and regulations of the Director of Corrections and does not relate to a new criminal charge.
- (i) The detention is pursuant to (1) an order of the Board of Prison Terms under the authority granted by Section 3060, or (2) an order of the Governor under the authority granted by Section 3062 or (3) an exercise of a state parole or correctional officer's peace officer powers as specified in Section 830.5.
- (j) Security services and facilities are provided for hearings which are conducted by the Board of Prison Terms to revoke parole.
- (k) The detention results from a new commitment, or a referral pursuant to Section 1203.03, once the abstract of judgment has been completed, the department's intake control unit has been notified by the county that the prisoner is ready to be transported pursuant to Section 1216, and the department is unable to accept delivery of the prisoner. The reimbursement shall be provided for each day starting on the day following the fifth working day after the date of notification by the county, if the prisoner remains ready to be delivered and the department is unable to receive the prisoner. If a county delivers or attempts to deliver a person to the department without the prior notification required by this paragraph, the date of the delivery or attempted delivery shall be recognized as the notification date pursuant to this paragraph. The notification and verification required by the county for prisoners ready to be transported, and reimbursement provided to the county for prisoners that the department is unable to receive, shall be made pursuant to procedures established by the department.

A city or county shall be reimbursed by the department from funds appropriated in Item 5240-101-0001 of the budget Act of 1998 for costs incurred pursuant to subdivision (a), (b), and (c) and from funds appropriated in Item 5240-001-0001 of that act for costs incurred pursuant to subdivision (d).

The reimbursement required by this section shall be expended for maintenance, upkeep, and improvement of jail conditions, facilities, and services. Before the county is reimbursed by the department, the total amount of all charges against that county authorized by law for services rendered by the department shall be first deducted from the gross amount of reimbursement authorized by this section. The net reimbursement shall be calculated and paid monthly by the department. The department shall withhold all or part of the net reimbursement to a county whose jail facility or facilities do not conform to minimum standards for local detention facilities as authorized by Section 6030 only if the county is failing to make reasonable efforts to correct differences, with consideration given to the resources available for those purposes.

Costs incurred resulting from the detention, as used in this section, shall include the same cost factors as are utilized by the Department of Corrections in determining the cost of prisoner care in state correctional facilities.”

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**APPENDIX III**

**STATE OF CALIFORNIA  
BUDGET ACT OF 2002, SECTION 5240 d.**

- d. "To reimburse counties for the cost of detaining State parolees pursuant to Section 4016.5 of the Penal Code. Claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred. Claims filed by local jurisdictions may not include booking fees, may not recover detention costs in excess of \$59 per day, and shall be limited to the detention costs for those days on which parolees are held subject only to a Department of Corrections request pursuant to subdivision (b) of Section 4016.5 of the Penal Code. Expenditures shall be charged to either the fiscal year in which the claim is received by the Department of Corrections or the fiscal year in which the warrant is issued."